

SAN ANTONIO PLANNING COMMISSION AGENDA

October 8, 2008

2:00 P.M.

Murray H. Van Eman, *Chairman*

Cecilia Garcia, *Vice Chair*

Amelia Hartman

John Friesenhahn

Andrea Rodriguez

Jose R. Limon

Dr. Sherry Chao-Hrenek

Christopher M. Lindhorst



The Cliff Morton Development and Business Service Center, located at 1901 South Alamo Street is wheelchair-accessible. Accessible parking is located at the front of the building. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

Please note that Citizens Comments are limited to three (3) minutes per person
CALL (210) 207-0121 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

1. PRELIMINARY ITEMS

A. Work session, 1:30 P.M., Tobin Room

- Agenda items may be discussed (Planning and Development Services)
- Briefing on the Downtown West Neighborhood Plan Update. (Planning and Development Services, by Gary Edenburn)
- Briefing on UDC amendment for the proposed Arts & Entertainment Special Zoning Districts and plan amendments for the E. Commerce Street Arts & Entertainment District (Planning & Development Services Departments, by Michael Taylor, Senior Planner)

2. 2:00 P.M.– Call to Order, Board Room

3. Roll Call

4. Citizens to be heard

5. PUBLIC HEARINGS

REPLAT W/ WRITTEN NOTIFICATION:

A. 080048

De La Torre

(On the east side of Callaghan Road and south of Seacroft)

Council
District

Ferguson
Index #

7

614 C-1

PLANNED UNIT DEVELOPMENT (PUD) PLAN:

B. 07-031 Hills at Boerne Stage II PUD* **OCL 479 B-4**
(West of Cielo Vista Drive, north of Ravine Pass)

REPLAT:

C. 070514 Portland Office Building **9 550 F-6**
(South of Portland Road between Plymouth Avenue and Highway 281)

CONSENT AGENDA

NOTICE TO THE PUBLIC: All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, or have met all standards for development under state law (plats only), and will be enacted by one motion. There will be no separate discussion of these items unless any member of the Planning Commission requests that specific items be removed from the Consent Agenda and added to the Individual Consideration Agenda for discussion prior to the time the Planning Commission votes on the motion to adopt the Consent Agenda.

PUBLIC HEARINGS FOR ITEMS 6-8 HELD ABOVE:

6. 080048 De La Torre **7 614 C-1**
(On the east side of Callaghan Road and south of Seacroft)

7. 07-031 Hills at Boerne Stage II PUD* **OCL 479 B-4**
(West of Cielo Vista Drive, north of Ravine Pass)

8. 070514 Portland Office Building **9 550 F-6**
(South of Portland Road between Plymouth Avenue and Highway 281)

PLATS:

9. 080328 Canterbury Farms Elementary **7 614 C-2**
(On the east side of Canterbury Drive, south of Stiffkey Drive)

10. 080520 Potranco/American Lotus **OCL 611 E-4**
(On the south side of Potranco Road, at American Lotus)

* Project is located in the Camp Bullis Notification Area.

- 18. Director's report
- 19. Questions and discussion
- 20. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed
- 21. **ADJOURNMENT**

Consent Agenda

**PLANNING COMMISSION
PUBLIC HEARING AND CONSIDERATION OF A REPLAT
WITH WRITTEN NOTIFICATION**

AGENDA ITEM NO: 5A&G October 8, 2008

DE LA TORRE
SUBDIVISION NAME

MAJOR PLAT

080048
PLAT #

COUNCIL DISTRICT: 7

FERGUSON MAP GRID: 614 C-1

OWNER: Oscar De La Torre

ENGINEER: Gomez-Garcia & Associates, by Alejandro Gomez

CASE MANAGER: Donna L. Schueling, Planner (207-5016)

Date filed with Planning Commission: October 8, 2008

Location: On the east side of Callaghan Road, and south of Seacroft

Services Available: SAWS Water and Sewer

Zoning: C-2 NA Commercial, Nonalcoholic Sales

Proposed Use: Restaurant

Major Thoroughfare: Callaghan Road is a secondary arterial, type A, minimum R.O.W. 86 feet.

APPLICANT'S PROPOSAL:

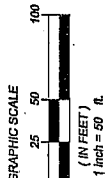
To plat 0.7446 acres consisting of 1 non-single family lot.

DISCUSSION:

The Planning Commission will hold a public hearing on the proposed replatting of this property on October 8, 2008. Three notices were mailed to the adjacent property owners, as of this writing no written opposition has been submitted.

STAFF RECOMMENDATION:

Approval



STATE OF TEXAS
COUNTY OF BEHAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONTAINS THE INFORMATION AND DATA REQUIRED BY THE PLAT ACT, AND THAT THE SAME HAVE BEEN REVIEWED AND APPROVED BY ME AS A PROFESSIONAL ENGINEER, AND THAT THE SAME ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.

DATE _____
ALEXANDRO R. GOMEZ, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 90145

STATE OF TEXAS
COUNTY OF BEHAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONTAINS THE INFORMATION AND DATA REQUIRED BY THE PLAT ACT, AND THAT THE SAME HAVE BEEN REVIEWED AND APPROVED BY ME AS A PROFESSIONAL LAND SURVEYOR, AND THAT THE SAME ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING EXAMINERS OF THE STATE OF TEXAS.

DATE _____
THOMAS C. HUBER
LICENSED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 430

STATE OF TEXAS
COUNTY OF BEHAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONTAINS THE INFORMATION AND DATA REQUIRED BY THE PLAT ACT, AND THAT THE SAME HAVE BEEN REVIEWED AND APPROVED BY ME AS A PROFESSIONAL ENGINEER, AND THAT THE SAME ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.

OWNER/DEVELOPER

STATE OF TEXAS
COUNTY OF BEHAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONTAINS THE INFORMATION AND DATA REQUIRED BY THE PLAT ACT, AND THAT THE SAME HAVE BEEN REVIEWED AND APPROVED BY ME AS A PROFESSIONAL ENGINEER, AND THAT THE SAME ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.

NOTARY PUBLIC
COUNTY OF BEHAR

THIS PLAT OF DELA TORRE SUBDIVISION, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____ A.D. 20__

BY: _____

CHURMAN

BY: _____

SECRETARY

STATE OF TEXAS
COUNTY OF BEHAR

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE

ON THE _____ DAY OF _____ A.D. 20__ AT _____ M. AND DALEY

RECORDED THE _____ DAY OF _____ A.D. 20__ AT _____ M. IN

THE _____ RECORDS OF BEHAR COUNTY, IN VOLUME _____

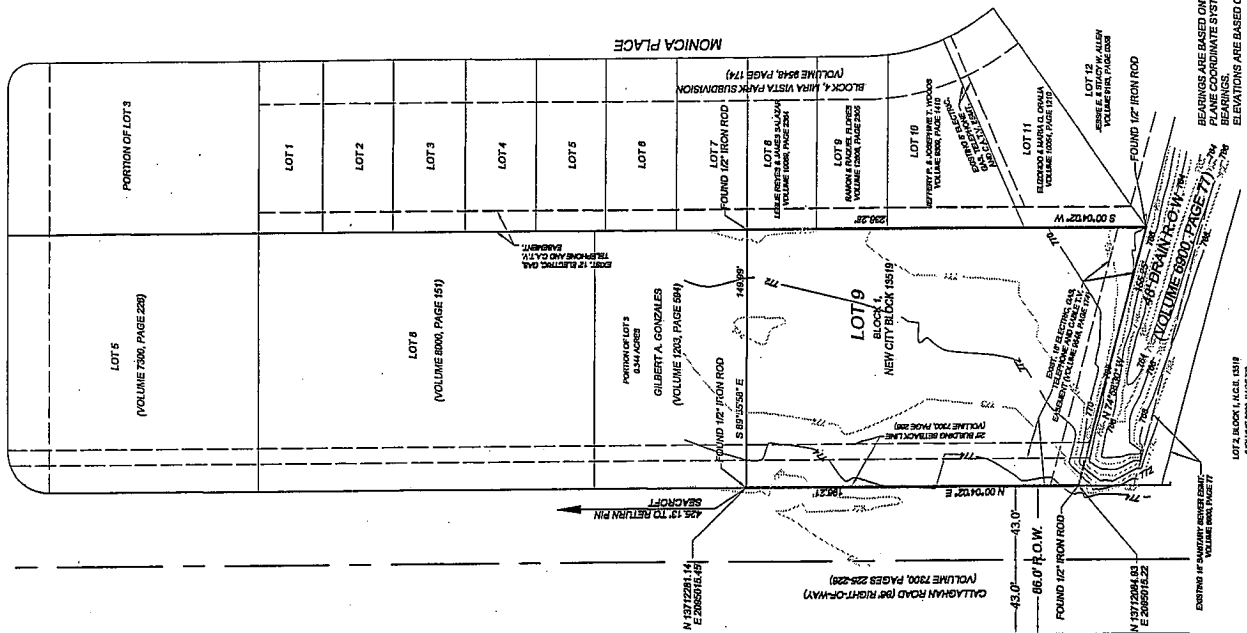
ON PAGE _____ IN TESTIMONY WHEREOF, I HAVE HEREIN SET MY HAND AND

OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 20__

COUNTY CLERK, BEHAR COUNTY, TEXAS

DEPUTY

SEACROFT (60' ROW)



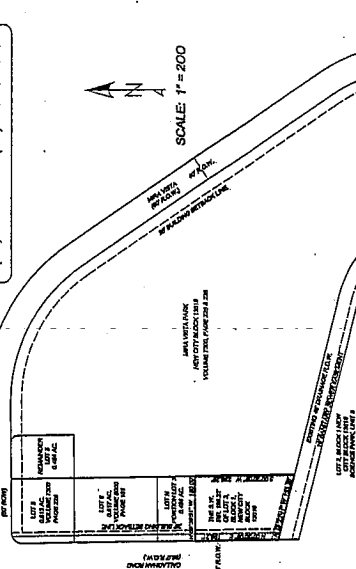
BEARINGS ARE BASED ON TEXAS STATE PLAT CORNER SYSTEM AND ELEVATIONS ARE BASED ON FEMA DATUM.

UTILITY NOTES:
1. THE LOCATION OF ALL UTILITIES HAS BEEN DETERMINED BY THE ENGINEER AND IS SHOWN ON THIS PLAT. THE LOCATION OF UTILITIES IS BASED ON THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
2. THE ENGINEER HAS BEEN ADVISED BY THE UTILITY COMPANIES THAT THE UTILITIES ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
3. THE ENGINEER HAS BEEN ADVISED BY THE UTILITY COMPANIES THAT THE UTILITIES ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
4. THE ENGINEER HAS BEEN ADVISED BY THE UTILITY COMPANIES THAT THE UTILITIES ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
5. THE ENGINEER HAS BEEN ADVISED BY THE UTILITY COMPANIES THAT THE UTILITIES ARE IN ACCORDANCE WITH THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.

STREETScape NOTES:
1. THE STREETScape NOTES ARE BASED ON THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
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SETBACK NOTES:
1. THE SETBACK NOTES ARE BASED ON THE PLAT ACT AND THE RULES AND REGULATIONS OF THE BOARD OF ENGINEERING EXAMINERS OF THE STATE OF TEXAS.
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OWNER/DEVELOPER:
OSCAR DE LA TORRE
ESTO ES MEXICO, INC.
14230 JAMON WAY, SAN ANTONIO, TEXAS 78248
(936) 581-8888 - (936) 581-5221 FAX



AREA BEING REPLATTED THROUGH A PUBLIC HEARING INVOLVING WRITTEN NOTIFICATION

THE AREA BEING REPLATTED WAS PREVIOUSLY PLATTED IN PLAT KNOWN AS PORTION OF LOT 3, BLOCK 1, NEW CITY BLOCK 1519, SCIENCE PARK SUBDIVISION UNIT 1, CITY OF SAN ANTONIO, BEHAR COUNTY, TEXAS, ACCORDING TO A PLAT THEREOF RECORDED IN VOLUME 7300, PAGE 225-226, DEED AND PLAT RECORDS OF BEHAR COUNTY, TEXAS.

REPLAT ESTABLISHING DE LA TORRE SUBDIVISION

ESTABLISHING LOT 1, NEW CITY BLOCK 1519, A 12.7448 ACRE TRACT OF LAND, BEHAR COUNTY, TEXAS, ACCORDING TO A PLAT THEREOF RECORDED IN VOLUME 7300, PAGE 225-226, DEED AND PLAT RECORDS OF BEHAR COUNTY, TEXAS.

NOTARY PUBLIC, BEHAR COUNTY, TEXAS

PROJECT ENGINEER:
GOMEZ-GARCIA AND ASSOCIATES, INC.
8723 BOTTS LANE, SAN ANTONIO, TEXAS 78217
(210) 832-9500 - (210) 832-9515 FAX

Northstar Land Surveying, Inc.
9033 AERO SUITE # 207
SAN ANTONIO, TEXAS 78217
(210) 835-4220

OWNER'S AUTHORIZED AGENT:
COUNTY OF BEHAR

NOTARY PUBLIC:
COUNTY OF BEHAR

PLANNING COMMISSION

Planned Unit Development

AGENDA ITEM NO: 6B27 October 8, 2008

HILLS AT BOERNE STAGE II PUD
PUD PLAN NAME

07-031
PLAN#

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 479 B-4

OWNER: Laredo Boerne Stage, Ltd., by A. Bradford Galo

ENGINEER: Pape-Dawson Engineers, Inc., by Stephanie Castillo

CASE MANAGER: Donna L. Schueling, Planner (207-5016)

Location: West of Cielo Vista Drive and north of Ravine Pass

Zoning: Outside San Antonio City Limits

Land Use: Residential

Plan is in accordance with:

MDP 035-07 Hills at Boerne Stage II was accepted on September 22, 2008

APPLICANT'S PROPOSAL:

- 124 Single Family Lots – 2 non-single family lots
- Open space ratio 86.82%
- The plan is not within 200 ft. of a Neighborhood Association, Community of Perimeter Plan.

DISCUSSION;

This Plan lies within the Camp Bullis 5 Mile Awareness Zone and has been reviewed by the City's Office of Military Affairs and the Camp Bullis Military Installation. The Garrison Commander has the following response. "Our concerns on compatibility with Camp Bullis will be addressed so long as the developer:

1. has appropriate documentation of a recent endangered species surveys (not older than 3 years) conducted by a professional biological consultant in accordance with U.S. Fish and Wildlife Services (USFWS) protocols showing no endangered species are present;
2. send the survey to USFWS Ecological Services Office in Austin; and

3. commits to incorporate dark sky lighting measures (such as the July 22nd, 2008 Bexar County light order or proposed City of San Antonio equivalent) into their projects.”

The developer acknowledged receiving the Planning and Development Services’ email, and that they indicated that they **will** conform to the Military’s request.

The City and Camp Bullis have been working on a joint effort to coordinate the Hills at Boerne Stage II MDP #035-07 Master Development Plan. The project submitted is located within 5 miles of Camp Bullis and the City has communicated with the Camp Bullis Installation regarding the proposed development.

Based on Camp Bullis’s response letter:

1. The City can only recommend that the applicant coordinate with U.S. Fish and Wildlife by contacting Allison Arnold at (allison_arnold@fws.gov or 512-490-0057 ext. 242)
2. The City can only recommend that the applicant coordinate with Camp Bullis by contacting Jim Cannizzo at (James.cannizzo@us.army.mil or 295-9830)
3. The City is working to implement a Dark Sky ordinance. However, at the present time the City recommends that the applicant contact Andrew Winter at Bexar County (awinter@bexar.org or 335-6487) to ensure that the applicant follows the Dark Sky ordinance as adopted by Bexar County.

At this time, the City is providing this information as a recommendation and will not place holds on the plans and plats associated with this recommendation.

CONDITIONS:

The dedicatory instrument(s) (Legal Instrument) must be approved by the City Attorney as to legal form prior to any plat recordation and shall be recorded at the same time as the plat. UDC 35-344(i)

STAFF RECOMMENDATION:

Approval



REPLY TO
ATTENTION OF

Office of the Commander

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT SAM HOUSTON
1206 STANLEY ROAD SUITE A
FORT SAM HOUSTON, TX 78234-5001

AUG 25 2008

DEV. SERVICES
2008 SEP -3 P 2:16

T.C. Broadnax,
Assistant City Manager and Interim Director
Planning and Community Development
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Robert Murdock, Brig. Gen. USAF (Ret.)
Director, Office of Military Affairs
City of San Antonio
PO Box 839966
San Antonio, Texas 78283-3966

Dear Mr. Brodnax and Mr. Murdock,

This letter responds to your staff's August 19, 2008 notification on the plat (MDP 035-07) for a 270 acre development (also referred to as the Boerne Stage II MDP-PUD) about 2 miles west of Camp Bullis (located just to the west of Interstate 10, north of Cielo Vista Road and Friedrich Wilderness Park). We provide the following comments.

Developing this tract may displace endangered species onto Camp Bullis. Surveys of golden-cheeked warblers, a federally listed endangered species, have shown a 50% increase on Camp Bullis in the past 5 years. We believe this is caused by the large-scale clear-cutting of oak and juniper trees within 5 miles of Camp Bullis. Increased populations on Camp Bullis trigger further Endangered Species Act restrictions on military training. About 10,000 of the 28,000 acres of Camp Bullis are potential habitat (3,300 acres are currently occupied habitat, and this increases as displacement occurs and increases the restrictions on our field training). We believe that any development within 5 miles of Camp Bullis which involves substantial clear-cutting of thick stands of old growth juniper and oak trees should be preceded by an endangered species survey, as was done by the RIM developers this year for the 106 acre tract on the southwest corner of Camp Bullis. See enclosed map from which it appears that much of the tract is heavily wooded.

Developing this tract should also be sufficiently protective of the Edwards Aquifer and karst features which may be inhabited by endangered species. These species are indicator species for the health of the aquifer. The Draft Bexar County Karst Invertebrates Recovery Plan (US Fish & Wildlife Service, March 2008) discusses the Stone Oak Karst Faunal Area within which this tract is located. This tract is also in the Edwards Aquifer Contribution Zone. See enclosed map from which it appears that much of the tract is in karst zone 2 of the UTSA KFA. Zone 2 areas have a high probability of containing habitat suitable for listed invertebrate karst species. If many of the areas identified by USFWS in this Recovery Plan for Bexar County are



developed, then further restrictions may be placed on Camp Bullis' caves and karst features in order for the region to still meet species recovery goals.

Placing a large housing development in this location could also create many light issues for military training operations conducted on Camp Bullis if dark sky lighting is not used. Night-time lighting from new developments is already interfering with night vision goggle (NVG) training on Camp Bullis. ~~Lighting causes a halo effect and can greatly reduce the effective distance for~~ NVGs. Night training (land navigation, helicopters, etc) is done in many different areas of Camp Bullis, including adjacent to this area.

Our concerns on compatibility with Camp Bullis will be addressed so long as the developer: (1) has appropriate documentation -- recent endangered species surveys (not older than 3 years) conducted by a professional biological consultant IAW USFWS protocols showing that no endangered species are present; (2) sends the surveys to USFWS Ecological Services Office in Austin; and (3) commits to incorporate dark sky lighting measures (such as the July 22nd, 2008 Bexar County light order or proposed City of San Antonio equivalent) into their projects.

My points of contact are Mr. Phil Reidinger at (210) 221-1099 or 336-0449 (cell) or Mr. Jim Cannizzo (210) 295-9830.

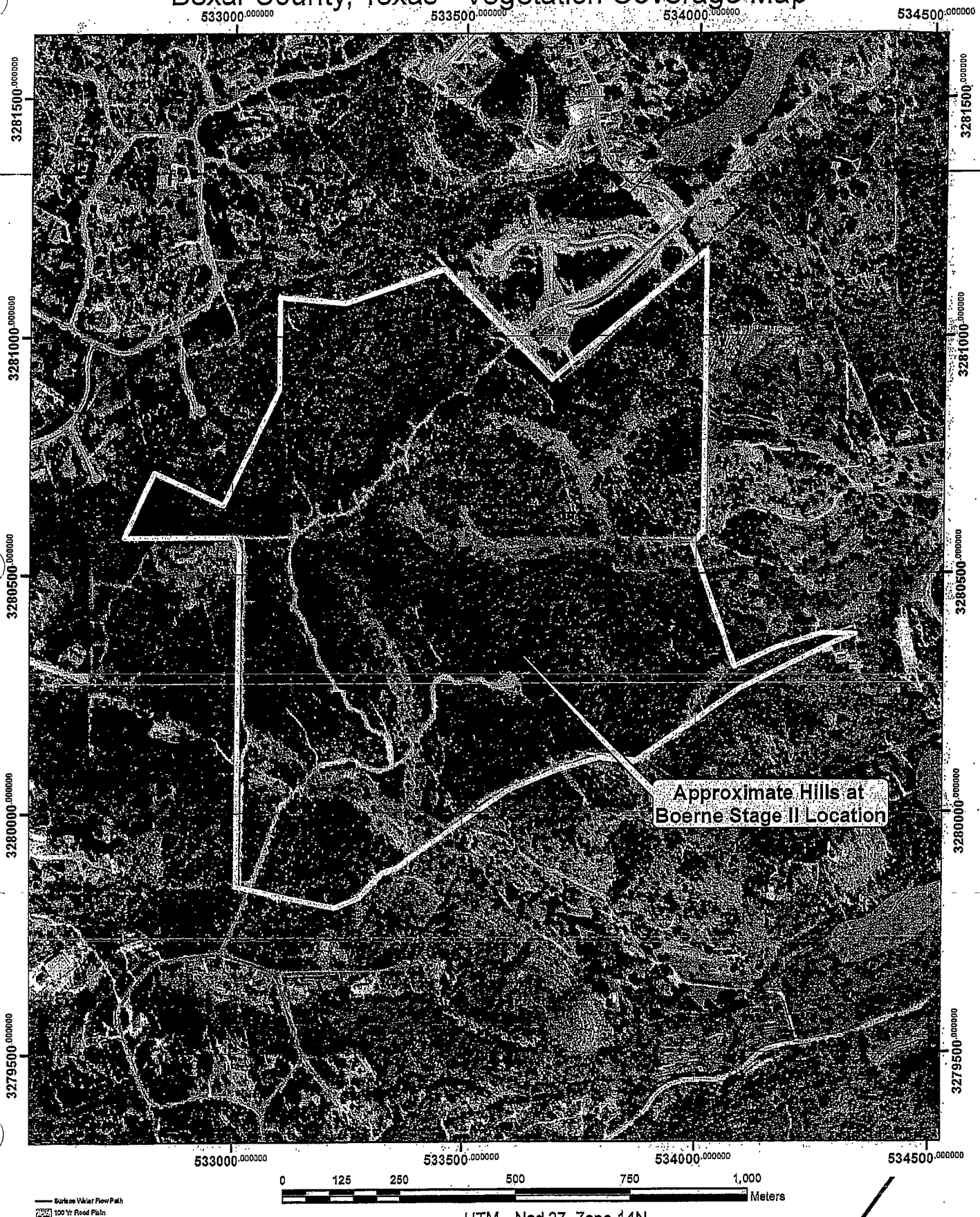
Sincerely,

Mary E. Garr

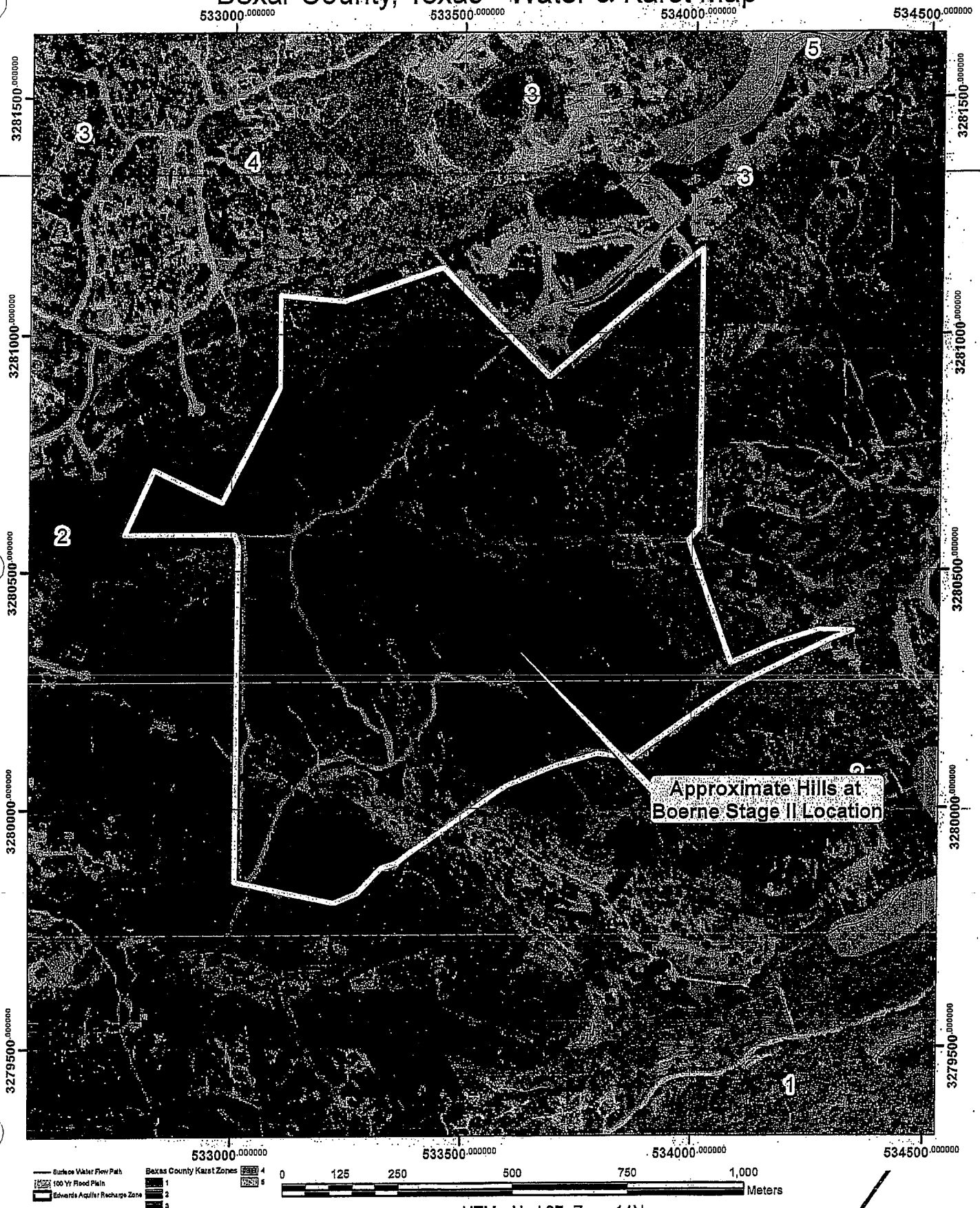
Mary E. Garr
Colonel, US Army
Garrison Commander

Enclosures

Hills at Boerne Stage II - City of San Antonio, Bexar County, Texas - Vegetation Coverage Map



Hills at Boerne Stage II - City of San Antonio, Bexar County, Texas - Water & Karst Map



PLANNING COMMISSION
PUBLIC HEARING AND CONSIDERATION OF A REPLAT
AGENDA ITEM NO: 5C & B October 8, 2008

PORTLAND OFFICE BUILDING
SUBDIVISION NAME

MAJOR PLAT

070514
PLAT #

COUNCIL DISTRICT: 9

FERGUSON MAP GRID: 550 F-6

OWNER: Cavender Quick Services, Ltd., by Stephen B. Cavender

ENGINEER: Pape-Dawson Engineers, Inc., by Rick Gray

CASE MANAGER: Elizabeth Adams, Planner (207-7912)

Date filed with Planning Commission: October 8, 2008

Location: South of Portland Road between Plymouth Avenue and Hwy 281

Services Available: SAWS Water and Sewer

Zoning: C-3 General Commercial District

Proposed Use: Automobile Dealership

Major Thoroughfare: US Hwy 281 is a freeway.

APPLICANT'S PROPOSAL:

To plat **3.89** acres consisting of **1** non-single family lot.

STAFF RECOMMENDATION:

Approval

PLANNING COMMISSION

SUBDIVISION

AGENDA ITEM NO: 9 **October 8, 2008**

CANTERBURY FARMS

ELEMENTARY

MAJOR PLAT

080328

SUBDIVISION NAME

PLAT #

COUNCIL DISTRICT: 7

FERGUSON MAP GRID: 614 C-2

OWNER: Northside I.S.D., by Jim G. Martin

ENGINEER: Slay Engineering, by Michael M. Slay

CASE MANAGER: Donna L. Schueling, Planner (207-5016)

Date filed with Planning Commission: September 23, 2008

Location: On the east side of Canterbury Drive, and south of Stiffkey Drive

Services Available: SAWS Water and Sewer

Zoning: R-5 Residential Single Family

Plat is in accordance with:

MDP 658, Canterbury Tract was accepted on January 10, 2000.

Proposed Use: Elementary School

APPLICANT'S PROPOSAL:

To plat 13.81 acres consisting of 1 non-single family lot.

STAFF RECOMMENDATION:

Approval

PLANNING COMMISSION

SUBDIVISION

AGENDA ITEM NO: 10 October 8, 2008

POTRANCO/AMERICAN

LOTUS SUBDIVISION

MAJOR PLAT

080520

SUBDIVISION NAME

PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 611 E-4

OWNER: Milestone Potranco Development, Ltd., by Chesley I. Swann, Agent

ENGINEER: Pape Dawson Engineers, Inc., by Eduardo J. Descamps, P.E.

CASE MANAGER: Larry Odis, Planner (207-0210)

Date filed with Planning Commission: October 1, 2008

Location: On the south side of Potranco Road, at American Lotus

Services Available: Bexar Metropolitan Water District and SAWS Sewer

Zoning: Outside San Antonio City Limits

Plat is in accordance with:

MDP 805-A, Potranco 126.34 Acre Tract, accepted August 22, 2005

Proposed Use: Commercial

Major Thoroughfare: Potranco Road is a primary arterial, type A, minimum R.O.W. 120 feet.

APPLICANT'S PROPOSAL:

To plat **6.552** acres consisting of **3** non-single family lots.

STAFF RECOMMENDATION:

Approval

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
INTERDEPARTMENTAL CORRESPONDENCE SHEET

Item # 11

TO: Planning Commission **Consent Agenda**

FROM: Aubrey George, Assistant Library Director for Support Services

COPIES TO: Mike Frisbie, Director of Capital Improvements Management Services

SUBJECT: Donation of ten acres of land to City of San Antonio for future branch library site

DATE: Monday, September 15, 2008

PETITIONER: City of San Antonio, Library Department

Staff is requesting that this item be placed on the consent agenda for the Planning Commission meeting on October 8, 2008.

BACKGROUND

The Library Department wishes to accept the donation from the San Antonio Public Library Foundation of approximately 10 acres of land on Wilderness Oak (L. C. Grothaus Survey no. 10, Abstract no. 931, county Block 4940, New City Block 19216, City of San Antonio, Bexar County, Texas) for the construction of a new branch library. The City of San Antonio has completed due diligence and the site has been accepted by the Library Board of Trustees in action at its meeting on September 24, 2008.

This site allows the library to fulfill a commitment made to the citizens of San Antonio in the 2007 Bond initiative and the Library Department's Facilities Plan to build a branch library between Blanco Rd and Hwy 281 north of Loop 1604. A new library in this area is crucial to the Library Department's efforts to serve this rapidly growing area of the city. This new library will provide books, CDs, DVDs, recorded books, public computers, internet access, children's and adult programming, public meeting room space and a wealth of information found in print and electronic formats. It is also intended that the Library Department will partner with others to provide additional services, venues for the arts and other activities.

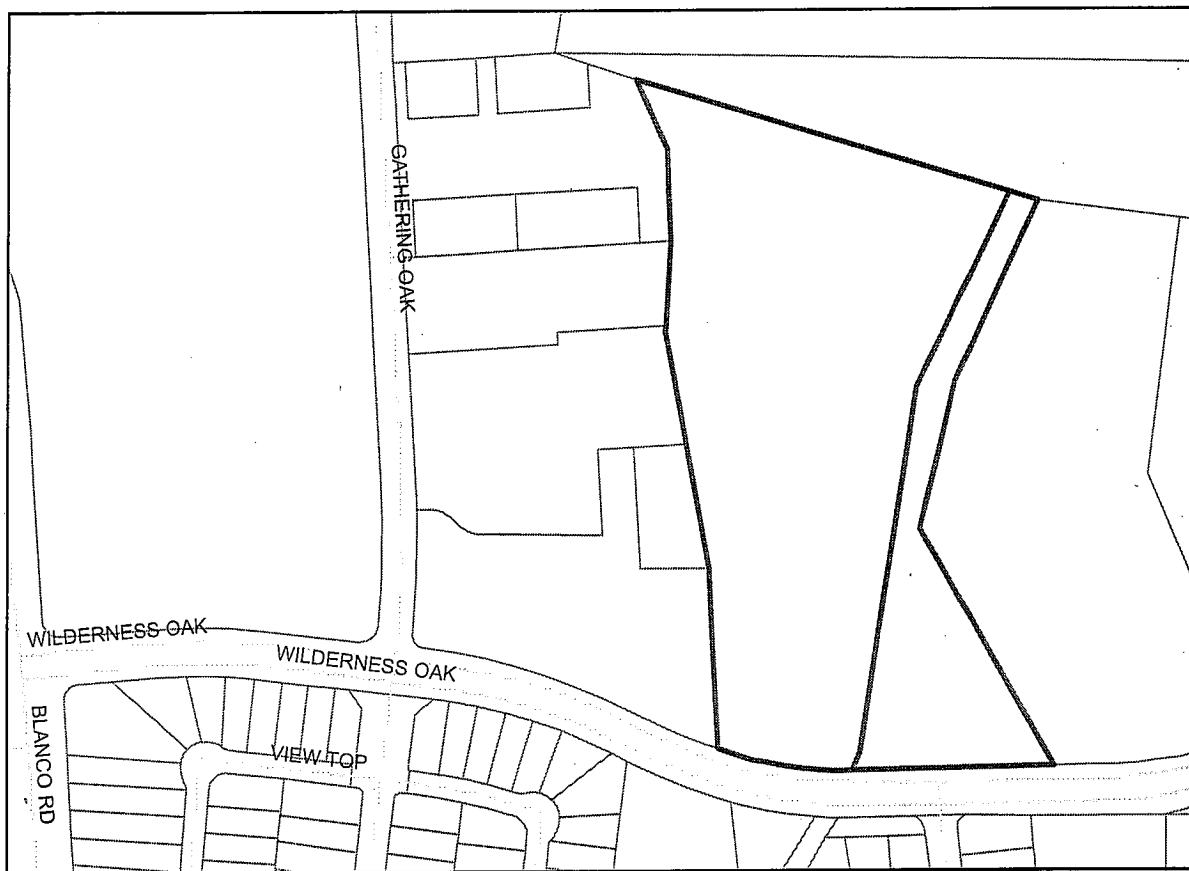
Upon approval by the Planning Commission, the Library Department will submit the request to the City Council for action to formally accept the donation of land for the purpose of building a branch library and other related activities.

COORDINATION AND FINANCIAL IMPACT

The Library Department has coordinated with the Capital Improvements Management Services Department, the Planning and Community Development Department and the Development Services Department. Funding is included in the 2007 Bond.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.



Individual Consideration

PLANNING COMMISSION
SITE IMPROVEMENT TIME EXTENSION
AGENDA ITEM NO: 12 October 8, 2008

HEIGHTS BEND
SUBDIVISION NAME

030428
PLAT #

COUNCIL DISTRICT: 8

FERGUSON MAP GRID: 515 B-8

OWNER: Shavano LDR, by Lloyd A. Denton, Jr.

ENGINEER: Alamo Consulting Engineering and Surveying, Inc. by, Paul A. Schroeder

CASE MANAGER: Elizabeth Adams, Planner (207-7912)

Location: On the south side of Lockhill Selma Road, west of Heights Lane Drive

Plat status: The Planning Commission approved this plat on October 13, 2004. On August 8, 2007, the Planning Commission approved a one year time extension to expire October 13, 2008. The plat has not been recorded.

APPLICANT'S REQUEST:

Applicant is requesting another one year extension for completion of required site improvements.

DISCUSSION:

None of the required site improvements have been completed. The improvements include streets, sidewalks, drainage, sewer and water.

STAFF RECOMMENDATION:

The Director of Planning and Development Services recommends **disapproval** of a one year extension for the following reasons:

- The applicant has had four years to complete the required improvements
- None of the required improvements have been completed

- The applicant has not demonstrated a unique hardship
- The previous time extension was approved with the condition that no further extensions would be supported

Bitterblue, Inc.
...developing a difference.

September 8, 2008

Ms. Elizabeth A. Carol
Senior Management Analyst
CITY OF SAN ANTONIO
Department of Development Services
1901 S. Alamo Street
P. O. Box 839966
San Antonio, Texas 78283-3966

RE: PLAT NO. 030428 – HEIGHTS BEND SUBDIVISION

To whom it may concern:

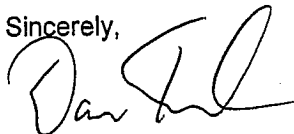
The approval for the above referenced plat is due to expire on October 13, 2008. The Heights Bend Subdivision consists of one (1) commercial lot and a short public cul-de-sac road named Heights Bend. The entire Heights Bend Subdivision encompasses 2.13-acres.

The purpose for the original plat was to satisfy a condition of a land sale and to provide access to the CPS substation which is a condition of the quit completed claim of the northern portion of Old Lockhill Selma Road. The buyer required that the property be platted prior to closing on the sale and the sale provided the funds to complete the street for access to the substation. The sale was not completed and efforts have remained on-going to sell the catalyzing property and build the road, Heights Bend. The difficult market and deteriorating economic conditions, have made it much more difficult to sell the property.

Given the situation created by current economic conditions we are hopeful that the plat approval could be extended to October 13, 2009, to allow us the opportunity to seek to attract a new user and construct the site improvements reflected on the plat and associated construction plans. We are requesting a one (1) year extension because the site improvements will take longer than six (6) months to complete. Please note that the subject property is vacant. Also note that a building permit cannot be issued unless the plat is recorded which means that the site improvements are completed and accepted by the City of San Antonio or a guarantee has been posted for the site improvements. To our knowledge there have been no new regulations that would change the existing plat or site improvement requirements.

We respectfully request that you consider the extension of the plat approval for the Heights Bend Subdivision Plat #030428 to October 13, 2009. We greatly appreciate your consideration of this matter. Thank you.

Sincerely,



Daniel D. Koss
Senior Vice President

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**PLANNING COMMISSION
FLOODPLAIN PERMIT VARIANCE REQUEST**

AGENDA ITEM NO: 13 October 8, 2008

REPUBLIC GOLF COURSE

#FPV 08-016

COUNCIL DISTRICT: 3

FERGUSON MAP GRID: 652 D-7

OWNER: Foresight Golf, Ltd., by Edward Miller

ENGINEER: Coyle Engineering, Inc., by Terrell G. Miller

CASE MANAGER: Donna L. Schueling, Planner (207-5016)

Location: South of S. E. Military Drive and west of W. W. White Road

Proposed Use: Golf Course parking lot expansion

APPLICANT'S REQUEST:

The applicant has requested variances to the floodplain requirement in conjunction with the building permit process.

DISCUSSION:

The Department of Public Works has responded to the variances requesting relief from UDC Appendix F, Subdivision C, Section A, (f)(19) and UDC Appendix F, Subdivision C, Section A, (f)(26)F as indicated in their attached report and objects to the granting of the variances.

STAFF RECOMMENDATION:

The Director of Public Works recommends **dis-approval** of the floodplain variances for the following reason:

The proposed parking area is expected to flood to a depth of approximately 3 feet, thereby creating a public safety threat.

COYLE

ENGINEERING, INC.

512 EAST BLANCO, SUITE 100/BOERNE, TEXAS 78006/PH: (830)249-5533/FAX (830)249-5534

September 20, 2007

To: Variance Request Review
Care of: Development Services Department
Development Services Department
1901 S. Alamo
San Antonio, Texas 78204

Re: Republic of Texas Golf Course

Subject: Variance Request to have flood water greater the 6" deep in portions of the building parking lot.

Dear COSA DSD,

With regard to the above mentioned building permit application and the provision of the UDC code listed below, we wish to request a Variance to have flood water greater than 6" deep in a parking lot.

Project Description:

The proposed project is an expansion of an existing parking lot that will be built by Foresight Golf on private property. The property is located on South East Military Drive approximately one third of a mile (1/3 mi) west of South West White Road. The newly created parking lot will be tied directly into the existing parking lot, and will be partially located within the FEMA floodplain zone AE.

Unified Development Code Provision:

Appendix F, Subdivision C, Section A, (f), (19).

(f) The following development may be allowed in the regulatory 100-year floodplain and will require a Floodplain Development Permit.

(19) Parking lot construction where water depths do not exceed 6".

Approval Criteria:

The planning commission may grant variances to the requirements of this article if it concludes that strict compliance with these regulations would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of these regulations will be observed, public safety and welfare secured, and substantial justice done. The planning commission may grant a variance only if it finds that:

1. If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property; and

The provision states the parking lots may be constructed in the 100-year floodplain if the depth of the water is no greater than 6" deep. The new building is connecting to an existing building on the

site. The parking lot that will be built will be as an expansion of the existing parking lot that is currently in the floodplain. There are no other locations near the building to expand the parking lot.

2. *The hardship relates to the applicant's land, rather than personal circumstances; and*

The location of the floodplain elevation is a physical characteristic of the developer's property and in no way a result of personal circumstances.

3. *The hardship is unique, or nearly so, rather than one shared by many surrounding properties; and*

The described hardship is unique as a golf course. This parking lot does not include an entrance or exit, and if the water inundates the flood plain those rows of the parking lot within the flood plain may be roped off and unused. Also at peak flood times the golf course will be unplayable, and the likelihood of visitors to the course is minimal. At the time of a 100-year flood, those parked in the parking lot will be easily evacuated to other parts of the property or their homes. The 100-year flood plain will not create a hazard for evacuation to this property or proposed parking lot entrances or exits.

4. *The hardship is not the result of the applicant's own actions; and*

The proposed parking lot placement is within the flood plain as a result of the use of the most recent version of the FEMA floodplain maps. The extension of the parking lot is to be added to the parking lot that is already in the flood plain and limited to this area due to the existing golf course as previously constructed. The location of the existing golf course is prohibitive to expansion in other areas of the property.

5. *The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.*

A series of HEC-RAS model scenarios have been run to study the effects of the project. The floodwater elevation and velocity downstream and upstream of the project will not be adversely affected by the project. This expansion is not creating any entrances or exits to the parking lot within the flood plain, and all exits are useable even during a 100-year storm. The addition to the parking lot will be easily roped off if the golf course continues to function during the 100-year storm. The golf course will likely be unusable during this time due to much of the property being located within the flood plain, and this situation dictates that the parking lot is most likely uninhabited.

In order to illustrate the issues in this letter, please find the following attached:

- 2002 FEMA Firmette showing the existing floodplain.
- Property map showing existing floodplain with the proposed building footprint.

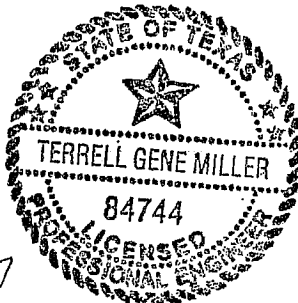
As this issue pertains to standards of Floodplain Development, it is our opinion that this is a reasonable request for a variance to the UDC provision 35-F108 *Basis for establishing the areas of special flood hazards.*

Sincerely,

Terrell G. Miller, P.E.

Terrell G. Miller, P.E.
Project Manager

8/20/07



COYLE

ENGINEERING, INC.

512 EAST BLANCO, SUITE 100/BOERNE, TEXAS 78006/PH: (830)249-5533/FAX: (830)249-5534

September 20, 2007

To: City of San Antonio
Planning Commission
Care of: Development Services Department
1901 S. Alamo
San Antonio, Texas 78204

Re: Republic of Texas Golf Course

Subject: Variance Request to have flood water velocity increase even though pre-project velocity exceeds 6 feet per second (fps).

With regard to the above mentioned building permit application and the provision of the UDC code listed below, we wish to request a Variance to have flood water velocities increase even though the existing pre-project velocity is greater than 6 fps.

Project Description:

The proposed project is an expansion of an existing parking lot that will be built by Foresight Golf on private property. The property is located on South East Military Drive approximately one third of a mile (1/3 mi) west of South West White Road. The newly created parking lot will be tied directly into the existing parking lot, and will be partially located within the FEMA floodplain zone AE.

Unified Development Code Provision: Appendix F, Subdivision C, Section A, (f), (26) F.

(f) The following development may be allowed in the regulatory 100-year floodplain and will require a Floodplain Development Permit.

(26) Non-residential construction. Some or all of the following restrictions will be placed on non-residential construction in the floodplain:

F. Demonstrate that the development will not increase the 100-year floodplain predevelopment velocities above 6 fps. No increase in velocity will be permitted if predevelopment velocities exceed 6 fps.

Approval Criteria:

The planning commission may grant variances to the requirements of this article if it concludes that strict compliance with these regulations would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of these regulations will be observed, public safety and welfare secured, and substantial justice done. The planning commission may grant a variance only if it finds that:

1. *If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property; and*

The existing velocity at the cross section bisecting the channel of Salado Creek is above 6 fps, at 6.21 fps. In the construction of the proposed project, we anticipate the velocity to increase to 6.31 fps. The existing FEMA flood map does not incorporate the existing topography. The flood plain was modeled using previous ground topography to determine the 100 year floodplain boundary. The area to be constructed is only proposed parking lot. No buildings are proposed in the 100 year flood plain. The parking lot is partially within the 100 year flood plain.

2. *The hardship relates to the applicant's land, rather than personal circumstances; and*

The location of the floodplain elevation is a physical characteristic of the developer's property and in no way a result of personal circumstances.

3. *The hardship is unique, or nearly so, rather than one shared by many surrounding properties; and*

The described hard ship is unique as a golf course. This parking lot does not include an entrance or exit, and if the water inundates the flood plain those rows of the parking lot within the flood plain may be roped off and unused. Also at peak flood times the golf course will be unplayable, and the likelihood of visitors to the course is minimal. At the time of a 100-year flood, those parked in the parking lot will be easily evacuated to other parts of the property or their homes. The 100-year flood plain will not create a hazard for evacuation to this property or proposed parking lot entrances or exits.

4. *The hardship is not the result of the applicant's own actions; and*

The proposed parking lot placement is within the flood plain as a result of the use of the most recent version of the FEMA floodplain maps. The extension of the parking lot is to be added to the parking lot that is already in the flood plain and limited to this area due to the existing golf course as previously constructed. The location of the existing golf course is prohibitive to expansion in other areas of the property.

5. *The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.*

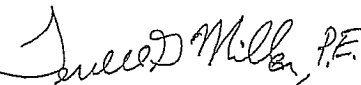
A series of HEC-RAS model scenarios have been run to study the effects of the project. The floodwater elevation and velocity downstream and upstream of the project will not be adversely affected by the project. This expansion is not creating any entrances or exits to the parking lot within the flood plain, and all exits are useable even during a 100-year storm. The addition to the parking lot will be easily roped off if the golf course continues to function during the 100-year storm. The golf course will likely be unusable during this time due to much of the property being located within the flood plain, and this situation dictates that the parking lot is most likely uninhabited.

In order to illustrate the issues in this letter, please find the following attached:

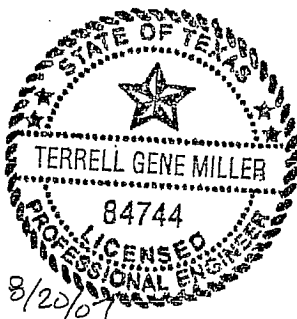
- 2002 FEMA Firmette showing the existing floodplain.
- Property map with the proposed building footprint showing the existing FEMA floodplain, actual floodplain, anticipated floodplain, and the ultimate development floodplain.

As this issue pertains to standards of Floodplain Development, it is our opinion that this is a reasonable request for a variance to the UDC provision 35-F108 *Basis for establishing the areas of special flood hazards.*

Sincerely,

 Terrell G. Miller, P.E.

Terrell G. Miller, P.E.
Project Manager





CITY OF SAN ANTONIO

P.O. BOX 839966
SAN ANTONIO, TEXAS 78283-3966

September 3, 2008

Foresight Golf, LLC
Attn: Daniel Pedrotti
512 E. Blanco, Suite 200
Boerne, TX 78006

Re: Republic of Texas Golf Course Parking Lot Expansion

Dear Mr. Pedrotti:

We have received the flood study for the proposed parking lot expansion for the Republic of Texas Golf Course south of SE Military Drive approximately 0.33 miles southwest of S WW White Road. (dated May, 2008). Unfortunately, the proposed development is not in compliance with current floodplain ordinances as follows:

1. The proposed development does not meet the following City of San Antonio Unified Development Code (UDC) requirements:
 - Chapter 35, Appendix F, Subdivision C, Section A (e) which states that the engineer must demonstrate that the development will not increase the Regulatory 100-year floodplain velocities above 6 fps. No increase in velocity will be permitted if predevelopment velocities in the floodplain exceed 6 fps.
 - Chapter 35, Appendix F, Subdivision C, Section A (19) which states that parking lot construction where water depths do not exceed 6" will not be permitted.
2. Variances to the above UDC sections will be required prior to Public Works approval of the building permit.
3. Public Works will not support such variances from Appendix F, Subdivision C, Section A, (e) and (19) because the proposed parking area is expected to flood to a depth of approximately 3 feet, thereby, creating a public safety threat.

If the Variance is approved by the Planning Commission, the Public Works/Storm Water Engineering Division hold on building permit AP# 1407411 will be released and a floodplain development permit will be issued. If you have any questions, please contact Robert Browning at (210) 207-5890 or myself at (210) 207-8025 or via email at robert.browning@sanantonio.gov or sabrina.santiago@sanantonio.gov

Sincerely,

Majed A. Al-Ghafry
Director of Public Works

MAA/EB:rb

cc: Terrell Gene Miller, P.E., Coyle Engineering, Inc.
City of San Antonio, Planning Commission

CITY OF SAN ANTONIO
DEPARTMENT OF PUBLIC WORKS
Interdepartmental Correspondence Sheet

TO: Murray Van Eman, Chairman, City of San Antonio Planning Commission
FROM: Majed A. Al-Ghafry, Director of Public Works *MAAG*
COPIES TO: Robert Browning, P.E., C. F. M., Alice Renobato, file
SUBJECT: Floodplain Development Permit Variance Request –
Republic of Texas Golf Course Parking lot expansion AP# 1407411
DATE: September 2, 2008

Storm Water Engineering Division of Department of Public Works has reviewed the request for variance to the floodplain requirements as submitted by Coyle Engineers on behalf of their client Foresight Golf, LLC, Daniel Pedrotti for the above mentioned project.

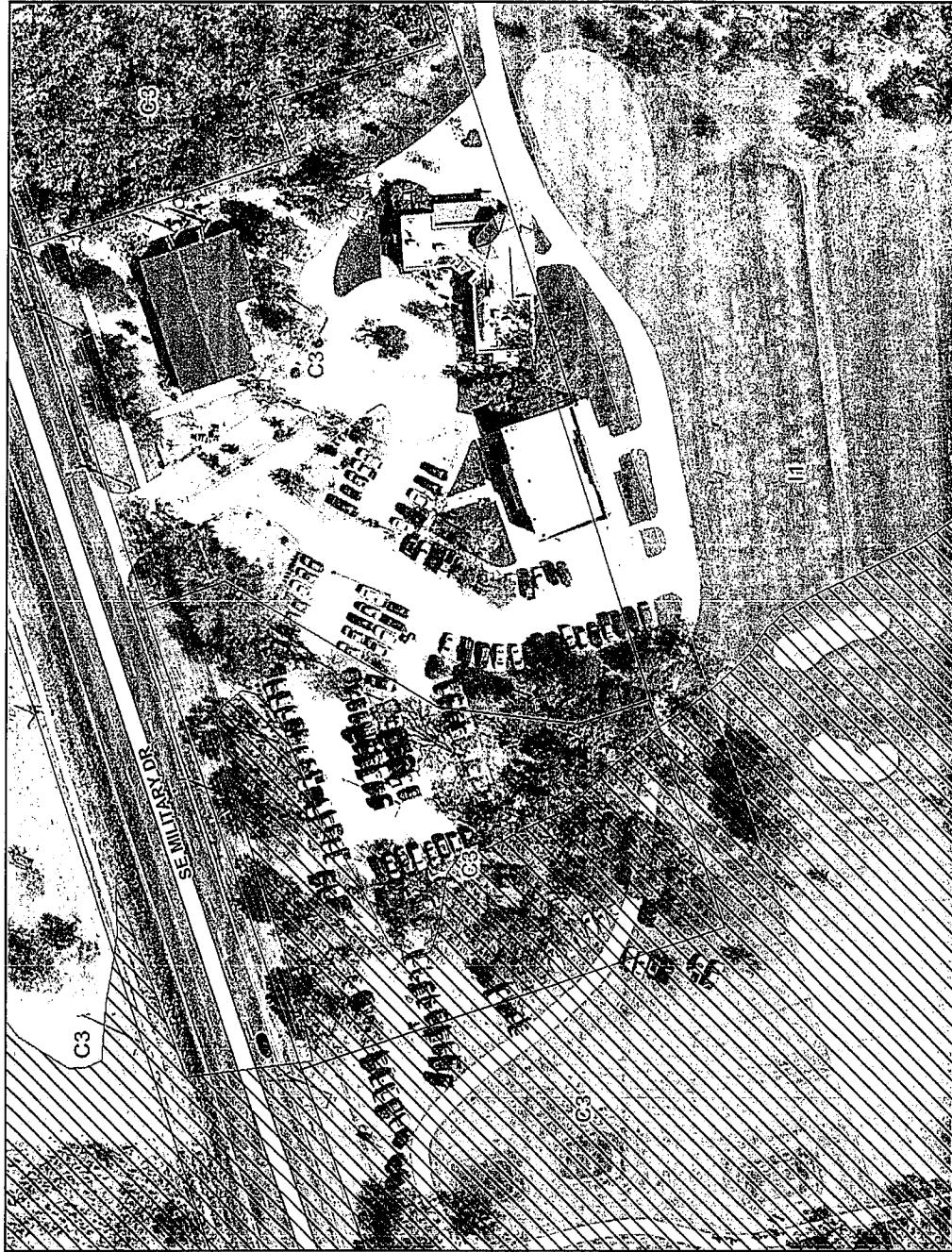
The variance requested is from UDC Appendix F- Subdivision C, Section A (e) which states that the engineer must demonstrate that the development will not increase the regulatory 100 year floodplain velocities above 6 fps. No increase in velocity will be permitted if predevelopment velocities in the floodplain exceed 6 fps.

Also, from UDC F- Subdivision C, Section A (19) which states that parking lot construction where water depths do not exceed 6" will not be permitted.

Public Works will not support such variances because the proposed parking area is expected to flood to a depth of approximately 3 feet, thereby, creating a public safety threat.

Please contact Sabrina Santiago E.I.T. at 207-5106 or Robert Browning, P.E., C.F.M. at 207-5890 if you have any questions or require additional information.

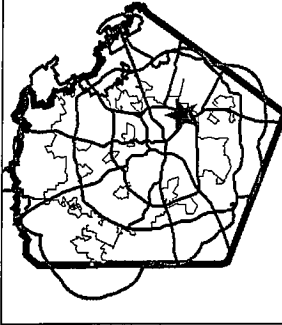
Republic of Texas Golf Course



0 125 250 375 ft.

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 2156459, 13677913



Legend

- ☐ Parcels
- ☒ 100 YR Floodplain
- ☐ Lakes
- ☐ Military Bases
- ☐ San Antonio City Limits
- ☐ Incorporated Towns
- ☐ Bexar County
- ☐ Bexar Streets
- ☐ Parcel Addresses
- ☐ Zoning

B2NA
C1
C2
C2NA
C3
C3NA
C3R
D
I1
I2
L
MF25
MF33
MF40
NC
NP-10
NP-15
NP-8
O1
O2
OCL
R20
R4
R5

Scale: 1:1,315



LOT 4
BLOCK 2
N.C.B. 10847
(5.465 AC.)

EXISTING BUILDING


APPROXIMATE PARKING LOT

EDWARD J. KELLY, JR.
BEING THE OWNER OF
202.8173 ACRES
(VOLUME 7204, PAGE 979)

Item #14

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Planning Commission **Individual Consideration**

FROM: George Rodriguez, Assistant Director, Real Estate Section 

COPIES TO: Mike Frisbie, P.E., Director of Capital Improvements Management Services

SUBJECT: S. P. No. 1296—Request to close, vacate and abandon a portion of N. Calaveras St. & an intersecting unimproved alley Public Rights of Way located between Perez & Morales Streets adjacent to NCB 2823

DATE: September 22, 2008

PETITIONER: San Antonio Independent School District
Attn: Kamal ElHabr, P.E.
Associate Superintendent
1702 N. Alamo St.
San Antonio, TX 78215-1213

Staff is requesting that this item be placed on the Planning Commission agenda for individual consideration and a Public Hearing at the Planning Commission meeting on October 8, 2008.

BACKGROUND

Petitioner is requesting the closure, vacation and abandonment of a portion of North Calaveras Street and an intersecting alley adjacent to NCB 2823 as shown on attached Exhibit "A." If approved, petitioner would like to combine these proposed closures with their abutting properties for the expansion and development of a new school building, playground and additional parking area for the adjacent Crockett Elementary School. Petitioner owns all abutting properties.

COORDINATION AND FINANCIAL IMPACT

In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.

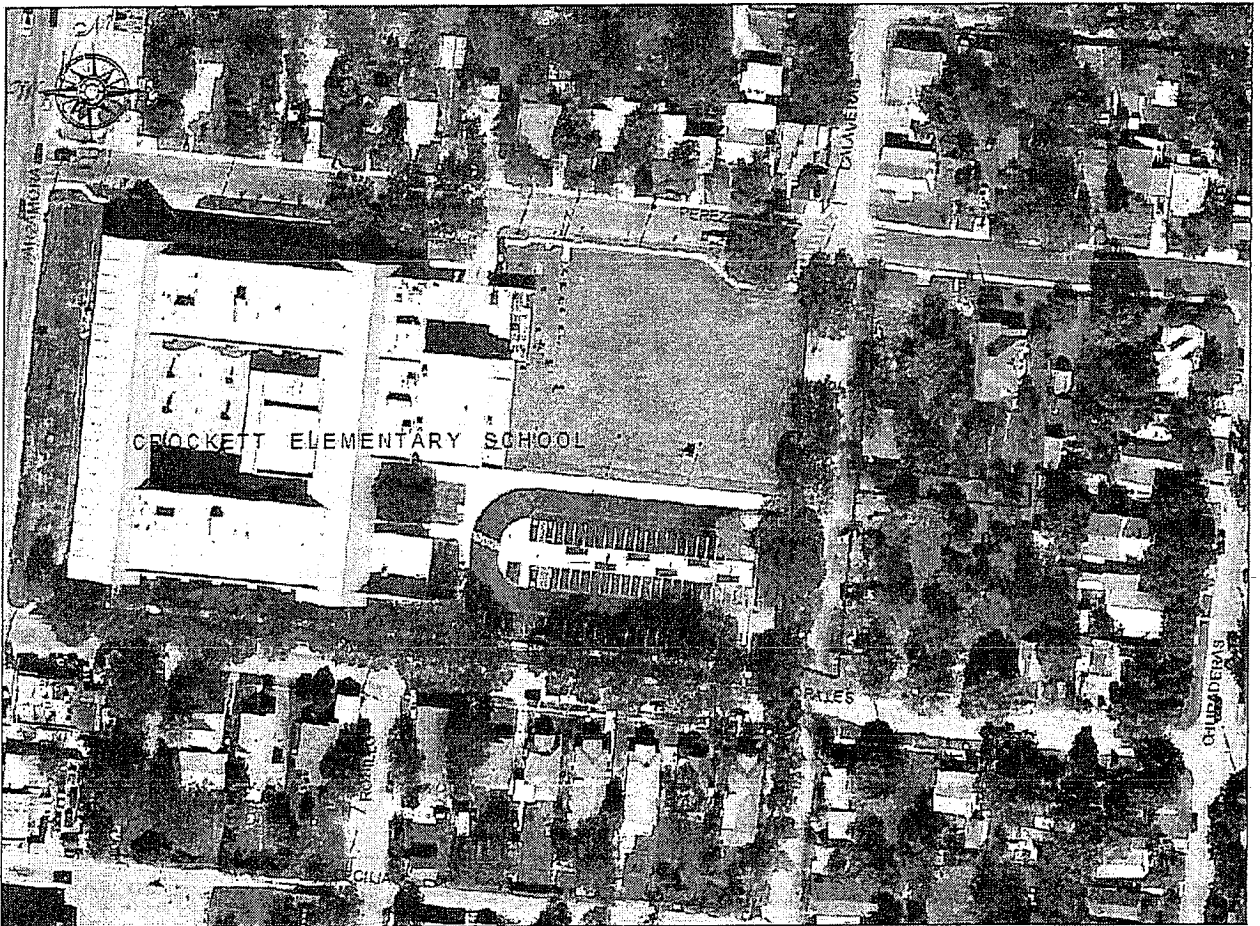
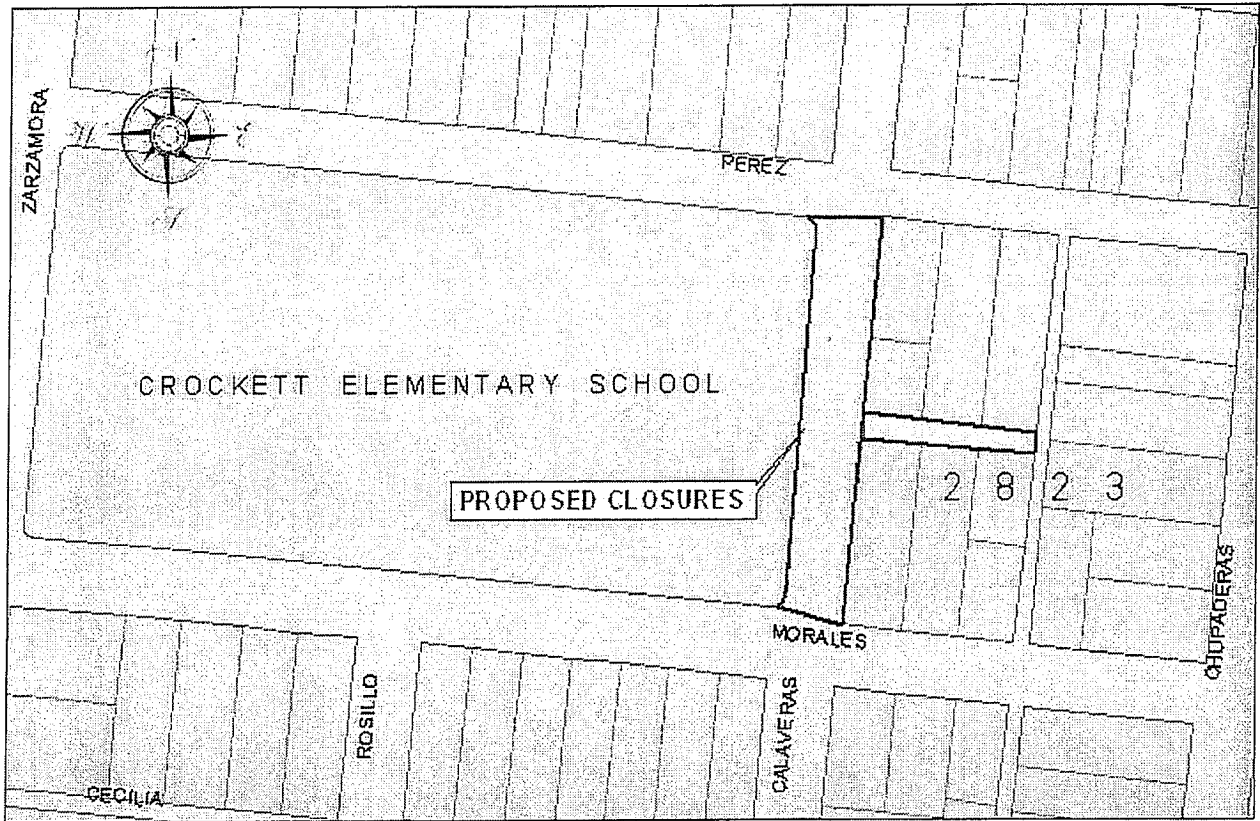



Exhibit "A"

Item #15

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Planning Commission **Individual Consideration**

FROM: George Rodriguez, Assistant Director, Real Estate Section 

COPIES TO: Mike Frisbie, P.E., Director of Capital Improvements Management Services

SUBJECT: S. P. No. 1389—Request to close, vacate and abandon an unimproved 10 foot-wide alley Public Right of Way located within NCB 825

DATE: September 22, 2008

PETITIONER: Select Medical Property Ventures, LLC
c/o Kimley-Horn and Associates, Inc.
Attn: Brian J. Parker, P.E.
45 N.E. Loop 410, Suite 890
San Antonio, TX 78216

Staff is requesting that this item be placed on the Planning Commission agenda for individual consideration and a Public Hearing at the Planning Commission meeting on October 8, 2008.

BACKGROUND

Petitioner is requesting to close, vacate and abandon an unimproved 10-foot wide alley located perpendicular to Brooklyn Street between Euclid and Elmira Streets within NCB 825 as shown on attached Exhibit "A". If approved, petitioner proposes to incorporate this Right of Way with its abutting properties for development purposes.

COORDINATION AND FINANCIAL IMPACT

In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.

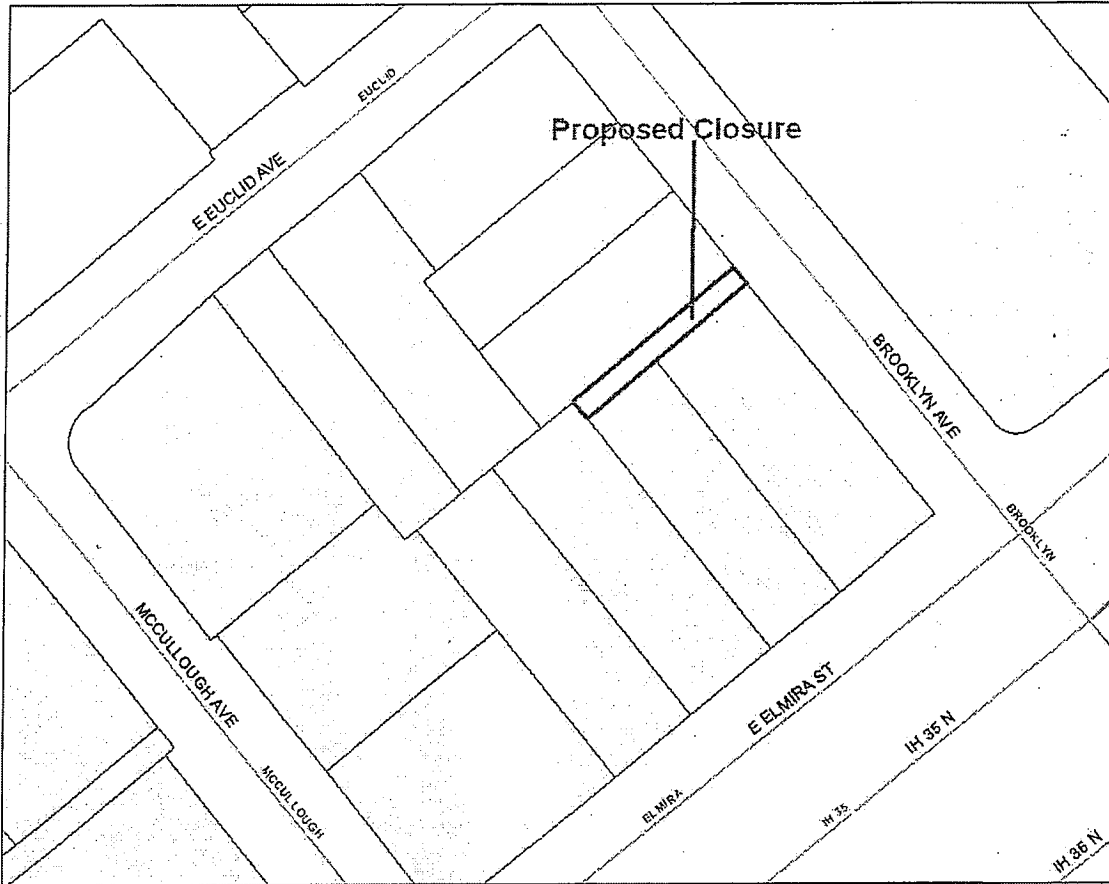


Exhibit "A"

S. P. No. 1389

Petitioner: Select Medical Prop.

Item #17

Luz Gonzales

From: Loretta Olson
Sent: Thursday, October 02, 2008 10:43 AM
To: Luz Gonzales
Cc: Elizabeth Carol; Nina Nixon-Mendez
Subject: FW: Withdrawal of Plan Amendment 08024

From: heather miller [mailto:heathermiller1@hotmail.com]
Sent: Thursday, September 04, 2008 7:05 PM
To: Loretta Olson
Subject: RE: Withdrawal of Plan Amendment 08024

Loretta,

We are confirming that we wish to withdraw out application for 801 W. Harlan rezoning.

Thank you,
Heather Miller

Subject: Withdrawal of Plan Amendment 08024
Date: Thu, 4 Sep 2008 16:56:15 -0500
From: Loretta.Olison@sanantonio.gov
To: von71@sbcglobal.net; HeatherMiller1@hotmail.com

Good Afternoon,
Please confirm that you wish to withdraw your application.

Loretta N. Olson
Senior Planner
City Of San Antonio
Planning and Community Development Department
Neighborhood and Urban Design Division
PO Box 839966
San Antonio, Texas, 78283-3966
210 207 7919 Office 210 207 7897 Fax
Loretta.Olison@SanAntonio.Gov
www.SanAntonio.Gov

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10/2/2008

P/C AGENDA FOR October 8, 2008

Item Number	Plat Name	Company	Owner Information
5A & 6	De La Torre	N/A	Oscar De La Torre
5D & 9	Portland Office Building	Cavender Quick Services Ltd	Stephen B Cavender
10	Canterbury Farms Elementary	Northside ISD	Jim G Martin
11	Potranco/American Lotus	Milestone Potranco Development Ltd	Chesley I Swann
13	Heights BenD	Shavano LDR	Lloyd A Denton Jr